

#3

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:	David P. Guilfoyle	)	
		)	
Application No.:	09/929,882	)	Group Art Unit: 1761
		)	
Filing Date:	August 14, 2001	)	Atty. Docket No.: 19390.01US1
		)	
Title:	Apparatus And Method For	)	
	Cold-Proofing Multiple	)	
	Dough Pieces	)	

**RESPONSE TO NOTICE TO FILE MISSING PARTS (37 CFR 1.53(b))**

Assistant Commissioner for Patents  
Washington, DC 20231

In response to the Notice to File Missing Parts of Nonprovisional Application mailed on August 14, 2001, enclosed is the executed Declaration for the above-identified patent application.

Also enclosed is Part 2 of the Notice to File Missing Parts.

Applicant hereby also requests the following corrections to the Filing Receipt. The Patent and Trademark Office inadvertently omitted the address of the first inventor, David P. Guilfoyle, who is located in Columbus, Ohio and the name of the second inventor, which Applicant submitted on the unsigned declaration that was filed with the original application. Accordingly, please add the residence of David P. Guilfoyle and the name of Wayne K. Spillner from Westerville, Ohio to the Filing Receipt. A marked-up copy of the Filing Receipt is also submitted herewith.

The Commissioner is hereby authorized to charge Deposit Account Number 011,156 for the surcharge of \$130.00 as set forth in 37 CFR 1.16(e). The Commissioner is also authorized to charge any fee deficiency or credit overpayment to deposit account number 011,156.

Respectfully submitted,

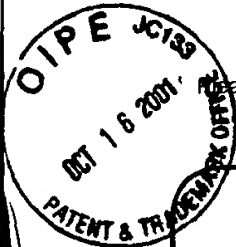
Date: October 1, 2001

By: 

Michael G. Kelber, Reg. No. 41,111  
Alzheimer & Gray  
10 S. Wacker Dr. - Suite 4000  
Chicago, IL 60606  
(312) 715-4000

Certificate of Mailing: I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, DC 20231 on this 1<sup>st</sup> day of October, 2001.

  
Michelle Cook



Please type a plus sign (+) inside this box. → ☒

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PTO/SB/2146-98

Approved for use through 09/30/2000. OMB 0651-0031

Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

## TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission

10

Application Number

09/929,882

Filing Date

August 14, 2001

First Named Inventor

David P. Guilfoyle

Group Art Unit

1761

Examiner Name

Attorney Docket Number

19390.01US1

### ENCLOSURES (check all that apply)

☒ Fee Transmittal Form

☐ Fee Attached

☐ Amendment / Response

☐ After Final

☐ Affidavits/declaration(s)

☐ Extension of Time Request

☐ Express Abandonment Request

☐ Information Disclosure Statement

☐ Certified Copy of Priority Document(s)

☒ Response to Missing Parts/  
Incomplete Application

☒ Response to Missing  
Parts under 37 CFR  
1.52 or 1.53

☐ Assignment Papers  
(for an Application)

☐ Drawing(s)

☐ Licensing-related Papers

☐ Petition Routing Slip (PTO/SB/69)  
and Accompanying Petition

☐ Petition to Convert to a  
Provisional Application

☐ Power of Attorney, Revocation  
Change of Correspondence Address

☐ Terminal Disclaimer

☐ Small Entity Statement

☐ Request for Refund

☐ After Allowance Communication to  
Group

☐ Appeal Communication to Board of  
Appeals and Interferences

☐ Appeal Communication to Group  
(Appeal Notice, Brief, Reply Brief)

☐ Proprietary Information

☐ Status Letter

☒ Additional Enclosure(s)  
(please identify below):

Declaration  
Postcard

Remarks

### SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm  
or  
Individual name

Michael G. Kelbern, Alzheimer & Gray

Signature

Date

October 1, 2001

### CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231 on this date: October 1, 2001

Typed or printed name

Michelle Cook

Signature

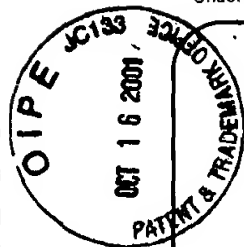
Michelle Cook

Date

October 1, 2001

**+** Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

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# FEE TRANSMITTAL for FY 2001

Patent fees are subject to annual revision.

## Complete if Known

Application Number	09/929,882
Filing Date	August 14, 2001
First Named Inventor	David P. Guilfoyle
Examiner Name	
Group / Art Unit	1761
Attorney Docket No.	19390.01US1

TOTAL AMOUNT OF PAYMENT (\$) 130

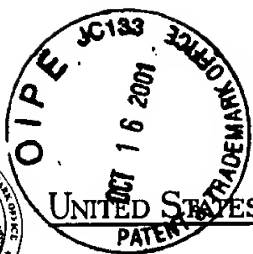
METHOD OF PAYMENT (check one)		FEE CALCULATION (continued)																																																																																																																																																																															
1. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge indicated fees and credit any over payments to:  Deposit Account Number: 011,156  Deposit Account Name: 011,156  <input checked="" type="checkbox"/> Charge Any Additional Fee Required Under 37 CFR 1.16 and 1.17 <input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27		<b>3. ADDITIONAL FEES</b> <table border="1"> <thead> <tr> <th>Large Fee Code</th> <th>Entity Fee (\$)</th> <th>Small Fee Code</th> <th>Entity Fee (\$)</th> <th>Fee Description</th> <th>Fee Paid</th> </tr> </thead> <tbody> <tr><td>105</td><td>130</td><td>205</td><td>65</td><td>Surcharge - late filing fee or oath</td><td>130</td></tr> <tr><td>127</td><td>50</td><td>227</td><td>25</td><td>Surcharge - late provisional filing fee or cover sheet</td><td></td></tr> <tr><td>139</td><td>130</td><td>139</td><td>130</td><td>Non-English specification</td><td></td></tr> <tr><td>147</td><td>2,520</td><td>147</td><td>2,520</td><td>For filing a request for reexamination</td><td></td></tr> <tr><td>112</td><td>920*</td><td>112</td><td>920*</td><td>Requesting publication of SIR prior to Examiner action</td><td></td></tr> <tr><td>113</td><td>1,840*</td><td>113</td><td>1,840*</td><td>Requesting publication of SIR after Examiner action</td><td></td></tr> <tr><td>115</td><td>110</td><td>215</td><td>55</td><td>Extension for reply within first month</td><td></td></tr> <tr><td>116</td><td>390</td><td>216</td><td>195</td><td>Extension for reply within second month</td><td></td></tr> <tr><td>117</td><td>890</td><td>217</td><td>445</td><td>Extension for reply within third month</td><td></td></tr> <tr><td>118</td><td>1,390</td><td>218</td><td>695</td><td>Extension for reply within fourth month</td><td></td></tr> <tr><td>128</td><td>1,890</td><td>228</td><td>945</td><td>Extension for reply within fifth month</td><td></td></tr> <tr><td>119</td><td>310</td><td>219</td><td>155</td><td>Notice of Appeal</td><td></td></tr> <tr><td>120</td><td>310</td><td>220</td><td>155</td><td>Filing a brief in support of an appeal</td><td></td></tr> <tr><td>121</td><td>270</td><td>221</td><td>135</td><td>Request for oral hearing</td><td></td></tr> <tr><td>138</td><td>1,510</td><td>138</td><td>1,510</td><td>Petition to institute a public use proceeding</td><td></td></tr> <tr><td>140</td><td>110</td><td>240</td><td>55</td><td>Petition to revive - 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\*\*or number previously paid, if greater; For Reissues, see above

SUBMITTED BY		Complete (if applicable)	
Name (Print/Type)	Michael G. Kelber	Registration No. Attorney/Agent	41,111
Signature		Telephone	312-715-4000
		Date	October 1, 2001

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.



UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS  
UNITED STATES PATENT AND TRADEMARK OFFICE  
WASHINGTON, D.C. 20231  
www.uspto.gov

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/929,882	08/14/2001	David P. Guilfoyle	19390.01US1

CONFIRMATION NO. 9295

25541  
ALTHEIMER & GRAY  
TEN SOUTH WACKER DRIVE, SUITE 4000  
CHICAGO, IL 60606-7482

## FORMALITIES LETTER



\*OC000000006569415\*

Date Mailed: 09/18/2001

## NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

*Filing Date Granted*

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is missing.  
*A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.*
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- **The balance due by applicant is \$ 130.**

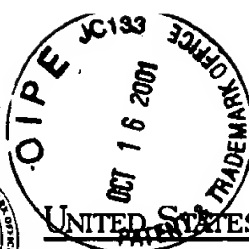
*A copy of this notice **MUST** be returned with the reply.*

Customer Service Center  
Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

10/18/2001 SDIRETA1 00000061 011156 09929882

01 FC:105 130.00 CH



UNITED STATES PATENT AND TRADEMARK OFFICE

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 WASHINGTON, D.C. 20231  
 www.uspto.gov


APPLICATION NUMBER	FILING DATE	GRP ART UNIT	FIL FEE REC'D	ATTY. DOCKET NO	DRAWINGS	TOT CLAIMS	IND CLAIMS
09/929,882	08/14/2001	1761	1392	19390.01US1	3	49	5

CONFIRMATION NO. 9295

 25541  
 ALTHEIMER & GRAY  
 TEN SOUTH WACKER DRIVE, SUITE 4000  
 CHICAGO, IL 60606-7482

## FILING RECEIPT



\*OC000000006569414\*

Date Mailed: 09/18/2001

Receipt is acknowledged of this nonprovisional Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please write to the Office of Initial Patent Examination's Customer Service Center. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).

Applicant(s) Columbus, Ohio  
 David P. Guilfoyle, ~~Residence Not Provided~~,  
 Wayne K. Spillner, Westerville, Ohio  
 Domestic Priority data as claimed by applicant

 RECEIVED  
 DOCKET

09/18/2001

## Foreign Applications

If Required, Foreign Filing License Granted 09/18/2001

 ALTHEIMER & GRAY  
 By: DKT/10

Projected Publication Date: Request for Non-Publication Acknowledged

N n-Publication Request: Yes

Early Publication Request: No

## Title

Apparatus and method for cold-proofing multiple dough pieces

## Preliminary Class

099